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Attorneys for Plaintiff, STEM, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEM, INC.,
a Delaware Corporation,

Plaintiff,

vs.

SCOTTSDALE INSURANCE
COMPANY, an Ohio Corporation,

Defendant.

CASE NO. 3:20-cv-02950-CRB

Assigned to Honorable Charles R. Breyer

**PLAINTIFF STEM, INC.'S
WITNESS LIST**

PRETRIAL CONFERENCE

Date: May 27, 2021
Time: 2:00 p.m.
CTRM: 6

TRIAL

Date: June 14, 2021
Time: 9:15 a.m.
CTRM: 6

Plaintiff Stem, Inc. ("Stem") submits the following Witness List pursuant to this
Court's Guidelines for Civil Jury Trials and FRCP 26(a)(3)(A)(i):

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WITNESSES EXPECTED TO BE CALLED AT TRIAL

John Carrington, CEO Stem, Inc.	Mr. Carrington, who has been Stem's CEO since December 2013, will testify concerning Stem's business, the 2013 Series B Financing, the Buzby Loan, and the underlying lawsuit.
Bill Bush, CFO Stem, Inc.	Mr. Bush, who is Stem's CFO, will testify concerning Stem's business, the underlying lawsuit, Stem's communications with Scottsdale, and Stem's contract and tort damages.
David Buzby Stem, Inc.	Mr. Buzby, who is a longtime director at Stem, will testify concerning the 2010 Employment Dispute with Mr. Reineccius, the 2013 Series B Financing, and the 2017 Buzby Loan.
Brian Thompson	Mr. Thompson, who is Stem's founder and initial CEO, will testify concerning Stem's founding and events during the first three years of its existence, including the 2010 Employment Dispute with Mr. Reineccius.
Keith E. Eggleton, Esq. Wilson Sonsini Goodrich & Rosati	Mr. Eggleton will testify about the underlying lawsuit and, in particular, about Wilson Sonsini Goodrich & Rosati's work, fees and costs defending Stem directors John Carrington and David Buzby against the underlying lawsuit.
Mitchell A. Kamin, Esq. Covington & Burling LLP	Mr. Kamin will testify about the underlying lawsuit and, in particular, about Covington & Burling's work, fees and costs defending Stem's former director, Zeb Rice, against the underlying lawsuit.
Robert A. Taylor, CPA, ABV	Mr. Taylor has been designated by Stem as an expert to testify concerning Stem's contractual damages, prejudgment interest accrued thereon, Stem's tort damages, and the financial condition of Scottsdale as a factor in determining the appropriate amount of punitive damages. He may also address the opinions of other experts offered herein.
Jim Schratz, Esq.	Mr. Schratz has been designated by Stem as an expert to testify concerning whether Scottsdale's handling of Stem's claim for a defense satisfied industry standards for proper claims handling. He may also address the opinions of other experts offered herein.
Dominic S. Nesbitt, Esq. Osborne & Nesbitt LLP	Mr. Nesbitt will testify about Stem's tort damages in the form of <i>Brandt</i> fees.
Aaron Klass Scottsdale Insurance Co.	Mr. Klass will testify via deposition about his investigation of Stem's claim for a defense and what he did, and did not do, as part of that investigation.

1 DATED: April 22, 2021

OSBORNE & NESBITT LLP

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3 By: /s/Gary W. Osborne
4 Gary W. Osborne
5 Attorney for Plaintiff, STEM, INC.
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